

**REGULAR MEETING  
SHELDON TOWN BOARD  
November 15, 2017**

The Regular Meeting of the Sheldon Town Board held November 15, 2017 at the Sheldon Town Hall was called to order by Town Supervisor Brian Becker at 7:30 p.m.

Present: Supervisor Brian Becker  
Councilmen: Mike Armbrust, Jim Fontaine, Vince Kirsch  
Absent: Councilman Joe Meyer  
Recording Secretary: Town Clerk Carol Zittel  
Also Present: Hwy. Supt. David Ricketson  
Mr. James Clapp and Ms. Sue Galbraith were present on behalf of Assemblyman David DiPietro. A signed list of those present is on file in the Town Clerk's office.

**Minutes**

A motion was made by Jim Fontaine and seconded by Vince Kirsch that the minutes from the October 18, 2017 regular meeting and the November 1, 2017 budget public hearing be approved. Ayes: (4) Becker, Fontaine, Armbrust, Kirsch Nays: (0) Absent: Meyer Motion Carried.

**Communications**

Town Clerk, Carol Zittel had no communications to report.

**Reports**

Financial Reports were presented for the month of October 2017 from the Town Supervisor, Town Clerk and the Town Justices.

**Representatives from Assemblyman DiPietro's Office**

Mr. James Clapp and Ms. Sue Galbraith introduced themselves to the Town Board. Mr. Clapp and Ms. Galbraith were here on behalf of Assemblyman DiPietro. They asked if there were any concerns that the Board wanted to bring to Assemblyman DiPietro's attention. Councilman Armbrust responded that Assemblyman DiPietro had made mention on several occasions, that he would be able to obtain funding to pave the Sheldon Volunteer Fire Company's hall parking lot. Councilman Armbrust asked if the Assemblyman could still obtain such funding. Supervisor Becker thanked Mr. Clapp and Ms. Galbraith for attending.

**Highway Superintendent's Report**

Highway Supt. Ricketson reported on the following:

**Finishing Ditches**

The highway department has been busy finishing ditches. The Town of Bennington provided their excavator. Supt. Ricketson will send a thank you letter to the Town of Bennington.

**Black Topping – Shared Services**

The Town highway department assisted Orangeville and Wethersfield with some black top work.

**REGULAR MEETING  
SHELDON TOWN BOARD  
November 15, 2017**

**New Pick-Up Truck**

The new truck is ordered and should arrive 4-6 weeks from time of order.

**Striping of Western Star**

The new Western Star plow truck has been striped (with paint). Supt. Ricketson used Dennis Nichols for the work.

**Salt Building**

In regards to replacing the salt building, Supt. Ricketson stated “there is not much left to it.”

**Gradall**

The gradall is not running again. ECM warning light is on. Marquart is coming out to look at it.

**Massey Mower Rims**

Councilman Armbrust asked about the repairs to the Massey mower. Supt. Ricketson responded that the rims cracked.

**Supervisor’s Report**

Supervisor Brian Becker reported on the following:

**County Bills**

County bills were \$2,765,280.41.

**Financial Reports**

As reflected in the Supervisor’s financial report, the Town received \$877,636.60 from Invenergy. Mary Kehl, representing Invenergy, took a photo with the Town Board presenting a check.

**Wind Turbine Photos on Website**

The Town Clerk informed the Board that she had been asked by a resident to remove the wind turbine photos from the website. The Town Board asked that the website photos remain the same.

**Donation from Invenergy – Town Park Restroom Renovation**

Invenergy donated \$10,000.00 for the town park restroom renovation project. \$5,000 came from the Stony Creek Wind Project and \$5,000 came from the High Sheldon Wind Farm. Supervisor Becker suggested holding a spring/summer meeting at the Town park in 2018.

**Traffic Diversion Program**

Supervisor Becker gave a brief explanation on the traffic diversion program that has been in place the past year. The program has resulted in an increase in Town court revenue. The program seems to be working and it is allowing people to get their licenses back.

**REGULAR MEETING  
SHELDON TOWN BOARD  
November 15, 2017**

**Acceptance of Reports**

A motion was made by Jim Fontaine and seconded by Mike Armbrust to accept all reports as presented.

Ayes: (4) Becker, Fontaine, Armbrust, Kirsch    Nays: (0) Absent: Meyer    Motion Carried.

**Old Business**

**Walk-Through of Park Rest Rooms**

Supervisor Becker made a walk-through of the recently renovated park rest rooms. He reported that they look good. The Beechler Construction invoice is in tonight's bills.

**Water Shut Off Map**

Councilman Armbrust asked how many people knew where the shut-offs were for the water system. He suggested that a map of the shut-offs be supplied and on file in the Town hall offices.

**Windy Brew Special Use Permit**

Councilman Kirsch asked if the brewery has met all the County Building & Code requirements. Supervisor Becker said they should be in compliance by tomorrow.

A motion was made by Mike Armbrust and seconded by Vince Kirsch to approve the special use permit for Michelle Snyder to operate a brewery at her residence with the parameters recommended by the Town Planning Board.

PLANNING BOARD CONDITIONS/PARAMETERS TO BE ADDED TO SPECIAL USE PERMIT:

- The Planning Board believes there will be no adverse affects to traffic flow on Route 20A in front of Windy Brew because there is sufficient parking, based on the approved occupancy by Wyoming County. There are also two means of entry/exit onto Route 20A.
- There will be no parking permitted on Route 20A.
- Must maintain compliance with all Wyoming County Building and Health Department Codes.
- All alcohol must be consumed according to the NYS Liquor Authority permitted parameters.

**REGULAR MEETING  
SHELDON TOWN BOARD  
November 15, 2017**

- Days and Hours of Operation are as follows:  
    Thursday 4:00 pm – 10:00 pm      Friday 2:00 pm – 10:00 pm  
    Saturday 12:00 pm – 10:00 pm      Sunday 12:00 pm – 6:00 pm
- A public hearing was held and comments were favorable, no negative concerns were voiced.
- Special Use Permit is subject to annual review by the Planning Board.
- The Planning Board must be notified of any changes in operation of this business.
- Annual Compliance Inspection - The Zoning Officer shall inspect the premises of a use authorized and approved with a special use permit not less than one time every two calendar years. The inspection shall determine that the use is being operated consistent with the terms and conditions established by the Town Board in approving the permit. If the Zoning Officer determines that the conditions are not in compliance with the permit, the Zoning Officer shall nullify the Special Use Permit and set forth the procedures and requirements for re-establishing the use. The use may not be operated until a new application is submitted and approved.

Ayes: (4) Becker, Fontaine, Armbrust, Kirsch    Nays: (0) Absent: Meyer    Motion Carried.

**Almeter Special Use Permit**

A motion was made by Jim Fontaine and seconded by Vince Kirsch to approve the special use permit for Adam Almeter to operate an automotive repair shop at his residence with the following parameters recommended by the Town Planning Board.

**PLANNING BOARD CONDITIONS/PARAMETERS TO BE ADDED TO SPECIAL USE PERMIT:**

- The Planning Board feels the distance between the Repair Shop and neighboring dwellings is of sufficient distance that no buffer is required.
- The Planning Board does not feel the operation of this repair shop will have any adverse effects on traffic flow.
- Hours of Operation cannot exceed the time period of 7:00 am – 9:00 pm.

**REGULAR MEETING  
SHELDON TOWN BOARD  
November 15, 2017**

- All repairs of motor vehicles, except for minor servicing, shall be performed in a fully enclosed building. No motor vehicle parts, or partially dismantled motor vehicles shall be stored outside of the enclosed building.
- No more than five (5) vehicles outside the building at one time (not including personal vehicles). All vehicles will be stored in a neat, orderly manner.
- Must maintain compliance with all NYS DEC, Wyoming County Building and NYS Vehicle Repair Codes and Regulations.
- Special Use Permit is subject to annual review by the Planning Board or at any time that these parameters are not being met.
- The Planning Board must be notified of any changes in operation of this business.
- Annual Compliance Inspection - The Zoning Officer shall inspect the premises of a use authorized and approved with a special use permit not less than one time every two calendar years. The inspection shall determine that the use is being operated consistent with the terms and conditions established by the Town Board in approving the permit. If the Zoning Officer determines that the conditions are not in compliance with the permit, the Zoning Officer shall nullify the Special Use Permit and set forth the procedures and requirements for re-establishing the use. The use may not be operated until a new application is submitted and approved.

Ayes: (4) Becker, Fontaine, Armbrust, Kirsch    Nays: (0) Absent: Meyer    Motion Carried.

Councilman Fontaine wanted it noted that the Town Board encourages the opening of small businesses in our Town.

**DASNY Funding – Varysburg Water**

The Town received the commitment letter from DASNY for the \$50,000.00 in funding for the renovation of the pump house and the installation of new water meters. Supervisor Becker asked Councilman Kirsch to help write the specs for the pump house renovation and the install of the meters. Supervisor Becker hopes to piggyback off of the Erie County Water Authority bid to procure the purchase of the meters.

**REGULAR MEETING  
SHELDON TOWN BOARD  
November 15, 2017**

**Alternate Planning Board Member**

Resident Kathy Roberts is still considering the position. She requested a copy of the Town comprehensive plan and the Town zoning law.

**Perry Road Cemetery – Wall Damage**

Invenergy may be able to provide the labor for the repair to the stone wall. Ms. Kehl will get back to the Board as soon as possible with an answer. Supervisor Becker informed the cemetery custodian, Lorraine Farrant, that the repairs will be done as soon as possible but that it may have to wait until springtime.

**Time Warner/Charter Communications Contract**

Mark Meyerhofer, the government representative for Charter Communications attended the November planning board meeting. After the meeting, Supervisor Becker signed the non-disclosure agreement and received a confidential list of proposed broadband expansion in the Town. The Town Board asked the Town Clerk to request a proposed new franchise agreement from Mr. Meyerhofer and to also inquire as to the possibility of waiving the telephone and internet charges on town owned buildings.

**New Business**

**Adopt Preliminary Budget as 2018 Final Budget**

A motion was made by Jim Fontaine and seconded by Vince Kirsch to adopt the preliminary budget as the final 2018 Town of Sheldon budget.

Ayes: (4) Becker, Fontaine, Armbrust, Kirsch    Nays: (0) Absent: Meyer    Motion Carried.  
There will be no Town taxes in 2018. The budget is attached to these minutes.

**Change in December Board Meeting Date**

A motion was made by Vince Kirsch and seconded by Mike Armbrust to change the December regular board meeting date from December 20, 2017 to December 27, 2017.

Ayes: (4) Becker, Fontaine, Armbrust, Kirsch    Nays: (0) Absent: Meyer    Motion Carried.

**Re-Appoint Darlene Janes – Park Committee**

A motion was made by Jim Fontaine and seconded by Vince Kirsch to re-appoint Darlene Janes to the Town park committee for a five year term.

Ayes: (4) Becker, Fontaine, Armbrust, Kirsch    Nays: (0) Absent: Meyer    Motion Carried.

**Board of Assessment Review Appointment**

A motion was made by Brian Becker and seconded by Mike Armbrust to table the Board of Assessment Review appointment until Supervisor Becker has a chance to reach out to a few people.

Ayes: (4) Becker, Fontaine, Armbrust, Kirsch    Nays: (0) Absent: Meyer    Motion Carried.

**REGULAR MEETING  
SHELDON TOWN BOARD  
November 15, 2017**

**Budget Transfers**

A motion was made by Vince Kirsch and seconded by Mike Armbrust to authorize the following budget transfers:

\$200.00 from A1640.4 Central Garage Contractual to A1010.4 Town Board Contractual

\$48.08 from A1640.4 Central Garage Contractual to A9060.8 Hospital & Medical Insurance

\$10,000 from A1640.4 Central Garage Contractual to A7110.41 Park Improvements

Ayes: (4) Becker, Fontaine, Armbrust, Kirsch    Nays: (0) Absent: Meyer    Motion Carried.

**Bills:**

Supervisor Becker confirmed that the Board had a chance to review the bills.

A motion was made by Vince Kirsch and seconded by Jim Fontaine that the

General Bills #289 to #325 for a Total of \$69,796.81, the

Highway Bills #160 to #182 for a Total of \$448,172.39, the

Trust & Agency Bills #35 to #37 for a Total of \$505.00, the

Bans Payable – Truck Paving Bills #2 to #2 for a Total of \$240,621.75, the

Varysburg Water District Bills #50 to #56 for a Total of \$12,592.93 and the

Lighting District Bills for a Total of \$873.73 be paid.

Ayes: (4) Becker, Fontaine, Armbrust, Kirsch    Nays: (0) Absent: Meyer    Motion Carried.

**Comments from the Floor**

**Heaters for Garage**

Supt. Ricketson asked if he could have his garage heaters looked at again. He also would like to have the overhead doors looked at since they are loose. The Board approved both and suggested having the hardware on the doors looked at.

**Zoning Officer Change**

Resident, Roger Almeter, asked how the change to the County Zoning Officer and County Assessor is going. The Board responded so far so good. The revaluation will begin in 2018.

**Schofield Property**

The Board asked the Town Clerk to notify Don Roberts and Mary Kern regarding the Schofield property on Route 77. The Schofields were granted a variance for a seasonal cabin. The Town was recently notified by neighbors of the Schofields that utilities and water may have been added to the property which may be in violation of the variance granted.

**Adjournment**

At 8:35 p.m. a motion was made by Jim Fontaine and seconded by Mike Armbrust to adjourn the November 15, 2017 meeting of the Sheldon Town Board.

Ayes: (4) Becker, Fontaine, Armbrust, Kirsch    Nays: (0) Absent: Meyer    Motion Carried.